



City of Seattle

Department of Planning & Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3013097
Applicant Name: Daniel Baldner
Address of Proposal: 2524 16th Ave S

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow the expansion of an existing institution (Child Care Center, El Centro De La Raza) in a single family zone consisting of two portable classroom buildings. The Child Care Center will have eight employees and will provide care for 68 children. Existing parking to be redistributed on the site.

The following approvals are required:

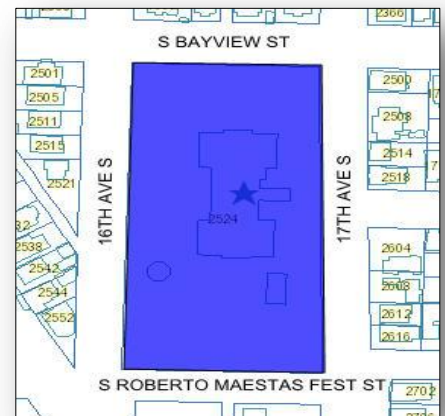
Administrative Conditional Use - to allow the expansion of an institution Child Care Center in a single family zone (SF5000).

SEPA DETERMINATION ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject site is a full block bounded by S Bayview St to the north, 17th Ave S to the east, S Roberto Maestas Fest St to the south, and 16th Ave S to the west. The site measures more than 503 feet north to south and more than 257 feet east to west. The site has a total area 134,509 sq. ft. (approx. 3.09 acres). The property is zoned Single Family (SF 5000).



The property is developed with three-story institutional structure on the eastern central portion of the site, surface parking on the northern and southern portion of the site, demonstration garden, play area, and gazebo on the western central portion of the site.

Proposal Description

The proposal is to move the child care program that is currently located on the ground floor within the El Centro building, into two portable classroom buildings to be located on the existing asphalt parking lot — at the northwest corner of the site — measuring 80 feet north to south and 105 feet east to west. The western fourteen parking spaces to be removed will be relocated to the southern area of the property.

The child care needs to move out of the building due to an impending construction project to remove hazardous materials. The installation of the buildings and the construction within the building will expand the Community Center/Child Care use on the site for three to five year period to recoup the investment in infrastructure.

El Centro de la Raza is located in the building previously housing the Beacon Hill elementary public school and provides services to the residents of Beacon Hill. The *Jose Marti Child Development Center* was added in 1988.

The proposed development will be used by approximately eight (8) teachers and sixty-eight (68) children from ages one to four, from Monday-Friday 6 a.m. – 6 p.m. to provide child development and childcare activities in four classrooms. After renovation in the existing building is complete the expansion of use will double the program size.

Notice and Comment Period

Notice of the application was published on March 22, 2012. The required public comment period ended on April 4, 2012. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USES

SMC 23.44.018 and SMC 23.44.22 provide that the Director may approve, condition, or deny an application for an administrative conditional use. The Director's decision shall be based on a determination whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. The following criteria were used to evaluate the proposal:

SMC 23.44.022.D .1 General Provisions. New or expanding institutions in single-family zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution master plan.

¹ <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

SMC 23.44.008 Permitted Use. Per 23.44.022.A, Institutions (including Community Center/Child Care use) are permitted as conditional uses in single family zones.

SMC 23.44.010 Lot Size. The proposed 134,509 square-foot (approx. 3.09 acres) lot area exceeds the minimum lot area of 5,000 square feet for the zone. The project as proposed would not exceed the lot coverage limits for the single family zoned lot. A maximum 35 percent lot coverage is permitted.

SMC 23.44.012 Height. The two portable classroom buildings are single story buildings with low pitched roofs, at 14'-0" and are below the maximum height limit for the zone.

SMC 23.44.013 Transportation Concurrency Level of Service. This project is exempt from the requirement for Transportation Concurrency Review, per SMC 23.52.002.

SMC 23.44.014 Yards. In single family zones, yard requirements for institutions are the same as for uses permitted outright provided that no structure other than freestanding walls, fences, bulkheads or similar structures shall be closer than ten feet to the side lot line, per SMC 23.44.022K.2. Further, SMC 23.44.022.G. allows existing structures to be converted to institutional use if yard standards are not met.

The proposed portable classroom buildings will conform to development standards for yards.

Any existing structures that are nonconformities will remain unchanged. See discussion under SMC 23.44.022.G, below.

SMC 23.44.016 Parking. Parking for the project is required at a rate of one space for each 10 children or 1 space for each staff member, whichever is greater; plus one loading and unloading space for each 20 children; for a total of twelve (12) parking spaces required. Twelve (12) parking spaces are proposed. See the discussion under SMC 23.44.022.L, below.

SMC 23.44.022.E Dispersion. Seattle Municipal Code requires that the lot line of a new or expanding institution be located 600 feet or more from other institutions in a residential zone. This criterion does not apply. The site is not being expanded.

SMC 23.44.022.F Demolition of residential structures. This criterion does not apply. No demolition of residential structures is proposed.

SMC 23.44.022.G Reuse of existing structures. This criterion does not apply. The existing structures are in use as an institution.

SMC 23.44.022.H Noise. In order to mitigate identified noise impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures. The City's Noise Ordinance Chapter 25.08 sets standards for sending and receiving noise levels depending on the zoning of the subject properties. Permissible noise levels are further reduced between the hours of 10 p.m. and 7 a.m. weekdays and 10 p.m. and 9 a.m. on weekends.

The proposal will operate between the hours of 6 a.m. and 6 p.m. The provided child development and childcare activities will be conducted in four classrooms.

Noise is not expected to be an issue. The children are inside the classrooms when in class and will be walked south on the sidewalk to the existing playground for outdoor play. The outdoor play area they will use is an existing developed play area.

Each classroom will have an occupancy limit of 23 people (students/teachers).

There is an outdoor play area on the western central portion of the site. The outdoor play area is surrounded by an existing fence. The landscaping of the property is consistent with the established institutional use.

The hours of outdoor play, location/configuration of structures and landscaping, plus the location of fencing all provide sufficient mitigation of potential noise impacts. No additional mitigation is warranted or required.

SMC 23.44.022.I Landscaping. Landscaping is required to integrate the institution with adjacent areas and reduce the appearance of bulk. There is currently perimeter landscaping between the proposed classroom location and 16th Ave S and S Bayview St. From the plans/photos reviewed, showing the existing site stair and landscaping at the intersection of these two streets. When the proposed structures are installed it is anticipated that they will hardly be visible from this view except through the existing gates. Existing parking in this location will be relocated and will no longer be visible. No additional landscaping is proposed. No additional mitigation is warranted or required.

SMC 23.44.022.J Light and Glare. No additional lighting is proposed.

SMC 23.44.022.K Bulk and Siting. The lot is larger than one acre in size. The existing structures were designed and used as an institution, and are sited and landscaped consistent with that use. The existing landscaping and fences will be retained. The location and configuration of the existing and proposed structures further serves to screen the activities of the pre-school from the neighboring properties. No further mitigation is warranted or required.

SMC 23.44.022.L Parking. Parking for the project is required at a rate of one space for each 10 children or 1 space for each staff member, whichever is greater; plus one loading and unloading space for each 20 children; for a total of twelve (12) parking spaces required. Twelve (12) parking spaces are proposed.

SMC 23.44.022.M Transportation Plan. A transportation plan is required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area or providing 20 or more parking spaces. Although, the proposed change of use is less than 4,000 square feet the applicant has provided sufficient information regarding traffic and parking to evaluate the parking and loading/unloading spaces modification discussed, above.

SMC 23.44.022.N. Institutes for Advanced Study. This criterion doesn't apply since the proposal is not an Institute for Advanced Study.

DECISION – ADMINISTRATIVE CONDITIONAL USE

Based on the forgoing review and analysis in this Decision, the proposal will satisfy all relevant requirements of SMC Sections 23.44.022 governing an Administrative Conditional Use in a single family zone. The Administrative Conditional Use Permit to allow the expansion of a Child Care Center (institution) is **GRANTED**. The proposal is not expected to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the Institution is located.

CONDITIONS – ADMINISTRATIVE CONDITIONAL USE

None.

Signature: (signature on file)
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

Date: July 23, 2012